

**MOTION BY SUPERVISOR MARK RIDLEY-THOMAS**

**March 25, 2014**

**SUPPORT FOR \$33.1 MILLION FUNDING FOR LEGAL REPRESENTATION TO ABUSED AND NEGLECTED CHILDREN**

There are 74,362 children in foster care in California. Each is represented by a court appointed attorney who is charged with the sole responsibility of advocating for that child's safety, protection and physical and emotional well-being.

For a child in foster care, who has been removed from his or her home because of physical and emotional abuse or neglect, having a competent and dedicated attorney is critical. A child's attorney may be in the best position to prevent horrific outcomes. For example, an overwhelming number of youth in foster care are at risk of or have already become victim to sexual exploitation and trafficking. The attorney is often the only one aware of such circumstances, due to their unique and confidential relationship. It is the attorney's duty to advocate in court for resources, and to work outside of court to access appropriate placements and intervention services.

Through the Dependency Court, the state makes decisions that have huge implications on the child's life and future such as whether the child will ever return to his

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YAROSLAVSKY \_\_\_\_\_

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or her parents, be placed with siblings, where and with whom he or she will live, and what services he or she will receive.

Often, the most important adult in a foster child's life is their lawyer. The attorney must advance the needs of the child both within and beyond legal proceedings. Similarly, when children have special education needs are denied essential benefits or become involved with the juvenile justice system, their court appointed counsel steps in to fight for them, providing the court or relevant agency with critical perspective, historical information and more.

Yet in California, overwhelming caseloads make it impossible for the dependency court appointed attorneys to properly serve their child clients. In Los Angeles County, where the largest numbers of foster children in the state are served, the average dependency attorney's caseload is 300 children per lawyer, triple what many advocates believe to be an acceptable load. In 15 of California's counties, the caseloads are even higher.

The National Association of Counsel for Children advocates a caseload of no more than 100 clients at one time for a full-time attorney. This is the same standard recommended by the U.S. Department of Health and Human Services, as well as the American Bar Association. In 2008, a California specific Judicial Council study concluded that the basic caseload standard where the attorney is supported by a social work investigator is a maximum of 188 child clients, while the optimal standard is 77.

California's abused and neglected children deserve better. With such high

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caseloads, there is simply no way to provide appropriate and effective advocacy. The Chief Justice of the California Supreme Court in response to the alarming size of caseloads has requested an additional \$33.1 million to the judiciary budget to bring dependency caseloads down to the maximum recommended level of 188 child clients per lawyers.

With over 29,000 children in the Los Angeles County foster care system, it is imperative that the State legislators understand how important this issue is to Los Angeles County. It is undeniably essential for the Board of Supervisors to speak on behalf of the children that are in its care and ensure they receive the legal representation they deserve.

**I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:**

1. Direct the Chief Executive Officer to add as a priority item to the Los Angeles County's legislative agenda the \$33.1 million budget request for dependency court appointed counsel as made by the Chief Justice of the California Supreme Court; and
2. Immediately send a five-signature letter to the California legislature including the Governor, Senate and Assembly, specifically to the Assembly Budget Subcommittee No. 5 calling for them to approve the \$33.1 million budget request to reduce caseloads for dependency court appointed counsel made by the California Supreme Court Chief Justice.

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